LEGISLATIVE ASSEMBLY

Telephone Companies' Privileges in Kootenay Towns the Subject of Interesting Debate.

Queen's Counsel Bill Amended Slightly — The Standard for Coal Miners Discussed.

WEDNESDAY, February 8.

After two days without devotional exercises, the house was opened with prayer by Rev. Ralph W. Trotter, the Speaker having taken the chair at 2:10.

NEW LEGISLATION.

A number of government measures were introduced, received a first reading, and were set for second reading at the next sitting of the House, despite the protest from Col. Baker that no bill should be offered for first reading until printed and distributed to members. In this connection Mr. Speaker ruled that it was not essential that the bill should be printed for the first reading, which was merely preliminary; the bill might properly be presented in manuscript, and be got ready in the printed form before it came on for second reading—indeed it would be impossible for a member otherwise to get his measure printed. Here is the list of new bills for the day:

Respecting the Department of Mines—Hon. Mr. Cotton.

To amend the Bureau of Mines act—Mr. Neill.

To amend the Execution act—Hon. Mr. Martin.

Respecting Judgments—Hon. Mr. Martin.

To amend the Absconding Debtors act.—Hon. Mr. Martin.

To amend the Land Registry act—Hon. Mr. Martin.

Respecting Liquor Licenses—Hon. Mr. Martin.

Respecting the Department of Lands and Works—Hon. Mr. Semlin.

NORTHERN BOUNDARY.

Mr. Clifford asked of the Premier:

"What steps, if any, have been taken by the government to have the northern boundary of the province defined and established, and especially in that portion of the province known as the Atlin country?"

Hon. Mr. Semlin—The attention of the Dominion government has been drawn to the matter with a view to joint action with the province in the demarkation of the 60th parallel of north latitude. Mr. J. H. Brownlee, C.E., P.L.S., has gone North with instructions to define the boundary in the Atlin mining district.

B. C. TELEPHONES BILL.

The house then went into committee, Mr. Robertson presiding, on the B. C. Telephones bill (Mr. Prentice). It had been explained at the second reading that this was merely for a consolidation of the existing rights and interests of two companies that had amalgamated, yet in committee vigorous objection developed over the proposal to continue the already acquired rights. Mr. J. M. Martin and Mr. Green showed how the bill in their opinion unless very much amended would operate injudiciously to the cities of Rossland and Kaslo, the ground taken by the two Kootenay members being supported also by Mr. Macpherson and Hon. Mr. Martin. The latter held that no telegraph or telephone company should have at any time been given permission to string wires in a city or town as they certainly constituted a great enemy to the public safety. He argued, too, that the legislature had and should exercise the right to remove such wires, even if authority had been given by past legislation. The public interest was a paramount consideration, and too much had been heard in this province with reference to interference with vested rights. Mr. Prentice energetically defended the justice of respecting vested rights, and Mr. McPhillips addressed himself more particularly to the amendments which the public must accept in order to enjoy the advantages of telegraphs, telephones, electric railways, etc.—all of which were conveniences of advanced civilization. The committee finally rose, reporting progress and asking leave to sit again at the next sitting of the house.

KITIMAAT RAILWAY BILL.

The second reading of this measure was agreed to unanimously, Mr. Prentice explaining that it was merely for the purpose of allowing the existing company to change the route somewhat from that originally outlined at the time of incorporation. The bill will go to committee to-morrow.

HEALTH BILL.

On motion of the President of the Council, the bill report of committee on the bill to amend the Health act was adopted and the bill read a third time and passed.

QUEEN'S COUNSEL BILL.

The house then went into committee, Mr. Booth in the chair, on the bill respecting Queen's counsel.

In committee Mr. McPhillips asked for the introduction of a section granting the dignity of Queen's counsel to those members of the bar who have or may enjoy the position of attorney-general or solicitor-general of Canada. This was lost.

Mr. Eberts then asked the Attorney-General to accept as an amendment to section 5 the addition of the following words at the end of the section: "Save and except in the following cases, viz., that of any person, a member of the bar of his province who at the time of the coming into force of this act had been appointed one of Her Majesty's counsel learned in the law by the Governor-General of Canada."

Hon. Mr. Martin thought that he had made himself sufficiently clear on this subject when the motion for second reading of the bill was before the house. To accept the amendment of the member for South Victoria would be to destroy the principle of the bill. He therefore declined.

A new section was, however, added, on the motion of Hon. Mr. Martin, providing that it be lawful for the lieutenant-governor-in-council to appoint in the first place five gentlemen of not less than five years' standing at the bar of the province, in addition to the two appointments allowed for the year, the attorney-general and the ex-attorney-general. It was also provided that the gentleman holding the office of attorney-general for Canada at the time of the coming into force of the act shall thereby become a Queen's counsel of British Columbia. The clause relating to contempt in the unauthorized wearing of the silk was withdrawn, and the bill was reported complete with the amendments made.

While in committee the Attorney-General took occasion to rise to a question of privilege in connection with the Colonist report of his remarks on the second reading of the bill. At the same time he felt it incumbent upon him to pay a graceful compliment to the paper named for the general fairness and accuracy of all its reports. The error to which he directed attention was one of a single letter. He had not said that there were lawyers in British Columbia not wearing the silk who were superior to "any" who had been so honored, but to "many." The report from committee will be considered at the next sitting of the house.

COAL MINES REGULATION.

Bill No. 43, relating to the exclusion of Japanese from the mines, was considered in committee, with Mr. Helmcken as chairman, and reported complete without amendment. The report was thereupon adopted, and the bill read a third time and passed.

The house went next into committee on Bill No. 44, also concerning coal mine regulations, Mr. Helgesen presiding.

Mr. Bryden vigorously objected to the proposal to compel the weighing of the coal unscreened, this being a matter which he held should be left to the arrangement between employer and employed. At the present time a ton of 2,240 pounds was allowed at one colliery by such arrangement, and at another a ton of 2,680 pounds. This allowance for dirt and waste in the screening met all the demands of justice to the miners, while the weighing of the coal as screened, which it had to be before it was fit for marketing, encouraged a miner to do good work and send out as clean coal as possible. If the legislation proposed became law it would be an encouragement not only to careless mining and consequent waste, but more powder would undoubtedly be used, and the danger to mine and miners be vastly increased. He hoped, too, that if the President of the Council insisted on this section remaining, he would present an amendment making 2,240 pounds the standard miners' ton.

An amendment was introduced by the President of the Council, specifying that miners of the district should mean miners of the district under the inspectorate of the said acting inspector, power also being given to the inspector to proceed for the employment of incompetent men on his own initiative. Hereafter it would probably be found necessary to have two inspectors, there being but one at present—one for the upper country mines, and the other for those of the Coast.

The bill was well debated in committee and reported complete with amendments just prior to the adjournment of the house for the day.

NOTICE OF MOTION.

By Hon. Mr. Cotton—To introduce a bill extending the rights of the crown to prospect for minerals on railway lands to all free miners.

LEGISLATIVE NOTES.

Mr. S. A. Rogers, ex-member for Cariboo, was a guest on the floor of the house during yesterday afternoon.

Under the bill "respecting the department of lands and works," which has now received its first reading, provision is made for the division of the departmental business into two distinct branches—that relating to lands being under an assistant commissioner of lands and the one dealing with public works and buildings in charge of a chief engineer.

By the bill to amend the Land Registry act, which is now before the legislature, provision is made for the filing of caveats with either the registrar-general or the district registrar. Proof is made requisite that a person executing an instrument of registration is of full age; an instrument may be registered although proof or form of execution be defective; and a duplicate certificate of indefeasible title may be issued where the original may have been lost or destroyed.

A new department of the civil service of British Columbia, to be called the department of mines, is provided for in a bill standing in the name of the Finance Minister. It is to have the charge of all matters affecting mining including the administration of the laws with respect to all kinds of mining, and also of all matters connected with the issue of crown grants for mineral claims

Attorney-General Martin's bill to amend the Execution act, now before the house, has for its purpose the abolition of writs of fieri facias de terris.

The bill respecting judgments, introduced yesterday, is merely to vary the old act so that judgments may be registered, instead of in the register office of the Supreme court, in the land registry offices or the land titles offices of the province.

By the Absconding Debtors act presented to the legislature yesterday, it is provided that a writ of attachment shall not bind land, and details the procedure necessary to enforce writs of attachment. The sheriffs of the various counties of the province are required by the concluding section of the bill to prepare a statement of all writs of attachment in their hands at the coming into force of the act.

THURSDAY, Feb. 9.

In the short space of two hours this afternoon the legislators of British Columbia disposed of 26 items of business appearing on the order paper, of which second readings of important bills formed a very considerable proportion. The end of the paper was reached very shortly after 4, and the law-makers dispersed for the day with a serene consciousness of having thoroughly well earned the adjournment. Word was received during the day by Premier Semlin from Mr. W. C. Wells, the member-elect for North East Kootenay, that he was starting for the Capital this week; and it is anticipated in consequence that he will take his seat either this afternoon or at the opening of the house on Monday next.

The Speaker took the chair at 2 o'clock sharp, and prayers were read by Rev. Ralph W. Trotter.

SALOON MEN PETITION.

The President of the Council presented a petition from the Licensed Vintner's Association of the city of Nanaimo and vicinity, asking that the liquor license law be so amended that the actual vendor shall be in all cases the holder of the license, and not the owner of the premises unless he be the actual vendor.

This petition was read and received.

CHINESE IN CARIBOO.

Mr. Helgesen moved, seconded by Major-General Kinchant: "That the attention of the government should be directed to the terms of the lease dated 16th May, 1894, granted by the government to the Cariboo Hydraulic Mining Company, Limited Liability, so as to prevent the said company from employing Chinese and Japanese laborers, to the exclusion and injury of the laboring classes of this province."

The mover explained that the company in question were, and had been for some time, operating large works in Cariboo, disregarding the clause in their lease for the prohibition of the employment of Chinese or Japanese labor. The white labor that had been employed had been very limited, some 20 men having been brought from California under contract, spending the summer in Cariboo and returning to their homes in the States with the coming of the fall. Not alone were Asiatics employed in the works of this company, but upon a large number of other hydraulicking propositions in Cariboo, to such an extent indeed that the bread and butter of the resident white laborers was now in danger. He hoped that ere long the per capita tax upon incoming Chinese would be materially increased, but in the meantime that the government would insist upon whites instead of Chinese being employed by the corporation referred to particularly in the resolution.

Major-General Kinchant, in endorsing the resolution, explained the undue advantage that had been taken by the Cariboo Hydraulic Mining Co. of the provision in their lease permitting the employment of Chinese or Japanese in the event of white labor not being available. This permissive clause had been very greatly abused, to the practical exclusion of white labor—and this, too, despite the fact that hundreds of white men were waiting for work at the Forks of Quesnelle and other places throughout the district. The Chinese at the present time were practically monopolizing all industries in Cariboo, even the freighting, which naturally would be expected to remain in white hands. He urged that something be done, and that speedily, to prevent the incursions of Chinese, especially as in the Cariboo district to his personal knowledge plenty of white labor was now available for all purposes and at moderate rates.

Mr. Deane also endorsed the object sought in the resolution, and confirmed what the mover and seconder had said with reference to the condition of the labor market in Cariboo. He, too, hoped that the subject dealt with would be taken up energetically by the government, in the protection of the interests of white residents of the Cariboo district, and also for the encouragement of the settlement and development of this important section of the province.

Mr. Hall inquired if any of the claims of the Cariboo Hydraulic Mining Co., referred to in this resolution, were yielding dividends. Were they, or any of them, what could be called paying claims?

Mr. Helgesen replied affirmatively, and spoke of the bars of gold and bags of dust that he had himself seen sent down by the stage from the works of the company.

Mr. Turner did not think that this was any proof of the profit-earning of the claims, on which he understood that something like $600,000 had been expended. He did not wish, however, to be taken as opposing the resolution. Shortly before the late government went out, a telegram had been received stating that Chinese were being employed illegally on the works of the Cariboo Hydraulic Mining Co. A message had immediately been sent to Mr. Hobson, the company's manager, informing him that white workers must be secured, and to this Mr. Hobson had replied that he was doing his best to get white labor but could not obtain white men in sufficient number for the carrying on of the company's works. This was how the matter stood at the time the elections came on.

The resolution was agreed to.

QUEBEC CONFERENCE.

Mr. Turner asked of the Premier: "What action if any was taken by the government in relation to the Quebec conference?"

Hon. Mr. Semlin answered: "The Hon. Attorney-General went forward to Quebec and conferred with the Canadian Commissioners upon the interests of British Columbia. The executive also sent to the commissioners a voluminous memorial setting out the interests of the province."

NOXIOUS WEEDS BILL.

Mr. Kidd, on the order being reached for resumed committee on his Noxious Weeds bill, asked that the order be discharged, he having been unable to induce the government to meet his wishes in connection with sections 9 and 10. He hoped, however, that the matter having been brought to the attention of the government, they would see fit to bring in a bill of similar tenor before the close of the session. In any event the responsibility now rested upon the government.

The order for committee was discharged, and the bill withdrawn.

BUREAU OF MINES.

Mr. Neill, in moving the second reading of the bill with relation to the bureau of mines, critised at some length the inactivity of the late government in the perfection of their plan for the making serviceable of this department of the public work. The bill, second reading of which he moved, provided for the examination as to competency of all assayers, this being necessary in order that the public might be protected from unreliable, unscrupulous and incompetent men styling themselves assayers, and who did more appreciable harm to the country. He knew of dozens of instances where men had engaged in business in the province, as assayers, they not being sufficiently expert to know the difference between copper and coal. One man in Victoria city had for his entire plant a pen, ink and paper, on which his assay certificates were to be produced. His imagination was his only professional capital. It was the poor prospector who suffered most from such persons, as they invariably gave high assays, and tempted by these the prospector went ahead with the development of a worthless property, only finding out perhaps after he had expended thousands in money and work that his claim had been no good from the first, as a competent assayer could have told him. Naturally the capitalist or the company suffered at times through the inefficient assayer, but not in so great degree, for they either employed their own assayer, or were in a position to gauge the professional standing and ability of the man to whom they applied for a value of ore specimens. The whole community suffered also from the bogus assayer, for he was responsible for skeptical opinions being formed regarding the country, and for capital looking upon the best propositions with suspicion. The bill was not in the line of creating a close corporation of assayers, for while the lawyers and doctors made their own laws for the protection of their professional interests, the passing of qualified assayers rested under the jurisdiction of the Minister of Mines, to whose interest it would be to have as many competent men practising as possible. The member for Alberni closed with an extended reference to the omissions of the late government in the matters dealt with in his bill. The measure, he declared, was for the benefit of all classes—it would preserve the vested rights of the capitalist, concerning which members of the other side were always ready to speak so eloquently, and at the same time it would maintain the standard of the mining community and place the reports of provincial ores above reproach or question.

Col. Baker approved the principle of the bill, which was really an elaboration and natural working out of the plan of the late government, but was surprised to see that the member for Alberni could not be in accord with one at least of his leaders, who had only the previous day placed himself on record as favoring the open door. The late government had instituted the bureau of mines, but had not had time for the thorough organization and perfection of the details of the system involved, largely through lack of accommodation until the new buildings were available. It was only since the change in administration that accommodation had been at command, and the organization as planned by the old government came into effect. He noted that the bill of the member for Alberni proposed to allow two years for the qualification and passage of assayers, and this seeming to be a reasonable time to allow, he would cordially support the bill.

Mr. Pooley also favored the bill, but took the point of order that the measure was such a one as should not emanate from a private member, an expenditure certainly being involved where examinations and a board of examiners were provided for. He referred Mr. Speaker to page 135 of the house rules, and asked a decision as to the bill being in order.

Mr. Speaker did not think the suggested expenditure was sufficiently specified as to bring the bill, even coming from a private member, out of order. It was not stated that the examiners were to be paid, nor did it appear evident prima facie that the fees to be collected would not be sufficient to meet any such expense if incurred. There seemed to be so many objections to creating such a precedent as would be created should this bill be ruled out of order that he declined to do so. At the same time he would consider the point raised, and if he found it sustainable, announce his decision at some future stage of the bill's advancement.

Hon. Messrs. Cotton and Semlin argued that the bill was quite in order, coming from a private member without objection from the government, and the second reading was agreed to, the committee consideration being set for the next sitting of the house.

RECORD LAW MAKING.

Then came a railroad speed passage of numerous government measures. The report of committee on the Queen's Council bill (Attorney-General) was adopted, and that measure received its third and final reading.

The Coal Mines Regulation bill (No. 44), standing in the name of the President of the Council, was given its third reading and became ready for assent by His Honor.

The Constitution act Amendment bill was passed through committee, with Mr. Ralph Smith in the chair; reported complete without amendment; the report adopted; and the bill read a third and last time.

Precisely the same course was followed with the bill for defining the duties of the several officers of the Attorney-General's department, the committee chairman this time being Mr. Kidd.

The bill relating to the administration of the Provincial Secretary's department was committed with Mr. Graham in the chair, and reported complete with amendment.

SECOND READINGS, TOO.

The bills known as the Counties Definition bill, the Execution bill, the bill respecting Judgments, the Absconding Debtors bill, and the bill to amend the Land Registry act, all standing in the name of the Attorney-General, were explained by him as involving changes of detail chiefly necessitated through the adoption of the Torrens system of registration. No debate arose on the motion for the second reading of any, and the bills were in turn ordered committed at the next sitting of the house.

Hon. Mr. Cotton moved the second reading of the bill to create a department of mines, with an independent minister at its head, explaining also that while segregating the work of the department of mines from the Provincial Secretary's office, it was intended to have all crown grants in connection with mineral claims therefter dealt with in the department of mines, as well as the administration of all mining law. He thought the changes proposed would result in the more efficient administration of the mining laws, generally promoting the development of the industry, assuring smoothness of working, and advancing the interests of all in common.

The bill regarding the department of lands and works was explained by Hon. Mr. Semlin, who commented upon the fact that the work of this department was at the present time doubly as heavy as that of any other of the provincial departments, and most beneficial results were to be anticipated from its division into distinct departments of lands and of works, under the respective heads of an assistant commissioner and a chief engineer.

The bill passed its second reading, to be committed Friday.

PRIVATE BILLS GO FORWARD.

Then came a number of private bills for quick despatch. The report of the committee on the South Kootenay Railway bill (Mr. Green) was adopted, and the bill read a third time and passed.

The same course was followed with the Atlin Short Line Railway & Navigation Co. incorporation bill (Mr. Clifford).

Mr. Helmcken announced that he had satisfied the Premier with respect to the country proposed to be opened up by the construction of the Kamloops & Atlin railway, and all objection being now withdrawn, he asked that this bill be read a second time. The motion was agreed to, the bill to go to the house committee at the next sitting of the legislature.

On the report of the committee on the Vancouver, Northern & Yukon railway bill, Mr. Macpherson succeeded in getting in his amendment that hitherto had been refused by the house, to permit meetings of the company to be held outside of Vancouver, their headquarters, and the report was then adopted, the bill to be read a third time at the next sitting of the house.

The house spent a few minutes in committee upon the B. C. Telephones bill (Mr. Prentice), with Mr. Robertson as chairman, rising but to report progress.

Mr. Higgins moved the second reading of the Chartered Commercial Company's bill. He explained that the company proposed to embark in business with a capitalization of $1,000,000 and asked no favors or concessions of any kind. They did not propose engaging in banking, insurance, or the building or operating of railways.

The bill passed its second reading; to go to committee Friday.

The bill to incorporate the Big Bend Transportation Co. was also read a second time and ordered for committee Friday, after Mr. Kellie had explained that the company seeking incorporation proposed constructing a tramway by which the rapids at the Big Bend of the Columbia might be avoided, much being thereby saved in the cost of getting supplies in to the mines.

The Kitimaat Railway Co.'s bill was considered in committee, Mr. Hall being chairman, and was reported complete without amendment.

Mr. Helmcken, as the last business of the day, moved the second reading of the bill respecting the Kootenay and Northwestern railway, explaining the scope of the present measure as to extend the time for the deposit of the necessary security, and also the time for commencement of construction, the terms being the same as defined last year, and the company accepting the anti-Asiatic labor clause.

The second reading was accepted; the bill was set for committee at the next sitting, and the house adjourned, having reached the end of the order paper.

IN BRITISH COLUMBIA.

Cheap Labor Policy Not Popular—"Poor Apology for a Member"—Bank at Ymir.

Kaslo Can't Afford Magistrate—Tinhorn Gets Three Months for "Passing" the Court.

BANK FOR YMIR.—John Dean, the real estate broker, returned yesterday from a visit to Ymir. Mr. Dean says the section around Ymir is in good condition. This is evidenced by the fact that the Merchants' Bank of Halifax expects to locate permanently in Ymir after the 1st of March. The manager of the Merchants' Bank of Halifax at Nelson has been in the habit of visiting Ymir twice a week for the purpose of transacting whatever financial business there was on hand. This business has been so good that a permanent branch of the bank has now been promised the Ymir people. Indeed the conditions justify this. The stamps of the Ymir mill, it is expected, will be falling on ore within the next 15 days. The Dundee concentrating mill has begun operations and is doing work of a satisfactory character. The Black Cock is shipping ore, and the returns are even better than anticipated. The Porto Rico mill is turning out bullion. The Second Relief and the Arlington are shipping ore, and the returns are of a character calculated to please the stockholders. Ymir, therefore, is a camp that will soon take its stand among the producers of bullion in quantities.—Rossland Miner.

TINHORNS IN ROSSLAND. — The police at Rossland are making an active crusade against the tinhorn gambling fraternity. One of the members of this guild, William Bryden, appeared recently before the police magistrate to answer to the charge of vagrancy. This was a warning for Bryden to leave town, but he failed to heed it and was brought before the court on a warrant. He was finely attired and wore diamonds. His demeanor towards the court was rather defiant. The police magistrate said to him mildly: "You were here before." "If I was," replied Bryden, saucily, "I paid for it." The court remarked that he was on the bench for the purpose of enforcing the laws, and then he sentenced the defendant to three months in the Nelson gaol at hard labor. Bryden was astonished when the sentence was pronounced, as he evidently expected that he would be fined, and the unfortunate woman who uses a crutch, who has supported him for the past year, would come forward and pay his fine.

KASLO'S MAGISTRATE.— The city council of Kaslo have petitioned the provincial government as follows: "Whereas section No. 203 of the Municipal Clauses act, revised statutes of British Columbia, empowers the Lieutenant-Governor-in-council to appoint or cancel the appointment of police magistrates; and whereas there are five resident justices of the peace in the city of Kaslo exclusive of the mayor; and whereas the expenditure for the year just closed exceeded the revenue thereof; and whereas the anticipated revenue for the current year is considerably less than last year; and whereas it is the earnest desire of the present municipal council to avoid all unnecessary expenses: Therefore be it resolved that we, your city council of the corporation of the city of Kaslo, in open meeting assembled, do humbly pray that your Honor will cancel the appointment of Augustus Carney as police magistrate for the corporation of the city of Kaslo."

GREENWOOD COUNCIL.—At a recent meeting of the Greenwood city council J. E. Schon, the medical health officer, recommended the appointment of a local board of health and the more rigid inforcement of the provisions of the provincial board of health act. The doctor's suggestions were endorsed by the council. G. B. Taylor was appointed city treasurer. The question of salary was not decided. Mayor Hardy suggested the appointment of an assessor, but this matter was also deferred. Mayor Hardy reported that men had started on the waterworks and that the engineer was preparing plans for the year's work. This outline will include the grading of the main street to the city limits on the Anaconda side of the city as well as the grading of all streets in the centre and Government and Copper streets northward.

NELSON APPOINTMENTS. — The city council of Nelson at its last meeting made several appointments. W. A. Galiher was made city solicitor, and W. T. Wasson assistant city clerk at a salary of $75. H. D. Berk was made caretaker of the new cemetery. He will have a free house and a monopoly of digging the graves, for which he will be entitled to a fee of $5 per grave, but will be required to dig the graves of all paupers free. William Garton made application for the position of pound-keeper. He was recommended by Rev. Robert Frew and C. E. Chase. Alderman Hillyer explained that while no one seemed to know him, he came before the council highly recommended, and Garton secured the job.

SILVERTON SARCASM.—One of the towns not visited by Mr. Bostock, M. P., in his recent pilgrimage through his constituency was Silverton, and a slight: "Mr. Hewitt Bostock gave Silverton the go-by in his recent visit to Kootenay Lake points. He called only at New Denver and Slocan City. Judging, however, from the reports which reach here as to the tenor of his address at these places, the people of Silverton had lost but little in consequence of his having absented himself. Whatever he may be personally, he is regarded here as a poor apology for a representative of the Kootenays in the Commons."

THE ROSSLAND PRESS.—C. E. Race, managing editor of the Rossland Miner, severed his connection with the paper on the 31st ult. Conner Malott, the mining editor, also tendered his resignation, and this, coupled with the rumor that Col. J. G. Egan, the city editor, was about to do likewise, led to the rumor that Race's retirement had some special significance, and it is hinted that it was because he was called upon, as is rumored, to conduct a campaign against the Canadian Pacific railway in order to satisfy Mr. Heinze, the owner of the paper. F. C. Moffatt temporarily took charge as managing editor.

KOOTENAY NAVIGATION.— How the C.P.R. steamers on the Columbia and Kootenay made their way through the ice is thus told by a former Columbia and Willamette river steamboatman: "We are onto the job up here. Way landings are dead easy. All we have to do is to stop, shove the footplank out on the ice and the passengers walk ashore. We keep a channel broken the width of the barge, and follow this all the time. No compass is required after the first trip. Over on the Columbia they have ice eight inches thick to contend with, but they keep the boats moving."

"Who is that?" asked the school-boy's father, as he glanced through the textbook. "Why that's Atlas. He was supposed to hold the whole world on his shoulders." "H'm. He wasn't up-to-date. If he had lived later in history he would have organized a few corporations and tried to put it in his pocket"—Washington Star.

DAN McLEOD'S PROWESS.

Further Displayed in Wrestling Match With Gigantic Turk.

At St. Paul, Minn., recently Dan McLeod, formerly of Nanaimo, the champion catch-as-catch-can wrestler of America, won his match with Hali Adali, the gigantic Turk wrestler, and gave him sixty minutes of as hot wrestling as has ever been seen. The match was before the St. Paul Athletic Club, the conditions being that Adali should throw McLeod twice in an hour or forfeit $1,000. The men came on the mat at 10 o'clock, and McLeod started on the offensive. The Turk, however, soon had his man on the floor, and then ensued a desperate struggle for a fall. McLeod was as quick as a cat and as slippery as an eel, and broke away from the Turk a number of times, once breaking a hold which it seemed must floor him. He got on his feet and made a dive at his adversary, and, amid the cheers of the crowd, was on the Turk's back. But the Turk was too weighty for him, and soon McLeod was again underneath. Finally, after twenty-seven minutes, the Turk secured a half-nelson and forced McLeod's shoulders down by sheer weight.

In the second bout McLeod assumed the defensive and by his superior agility kept the Turk on his feet for about twenty minutes of the time, although there was a hot mix-up. In the last ten minutes McLeod again assumed the offensive and kept the Turk busy all the time, not only in his endeavor to throw McLeod, but in keeping himself from the ignominy of a fall. The crowd went wild as the referee called time, while the men were in a terrible struggle on the mat. The Turk either did not hear the time called or lost his temper, for he gave McLeod a terrible fling against the ropes. McLeod jumped up and made a pass at the Turk, but the referee and seconds ran between them and trouble was averted. It is said McLeod is the first man who ever succeeded in getting on the Turk's back, as he did in the first bout. Captain Whittemore acted as referee. About 4,000 persons witnessed the match.

HANDS OFF BRITISH COLUMBIA.

From the Toronto Mail and Empire.

In a dispatch from Washington, published yesterday, the statement is made that the Canadian members of the Joint High Commission have promised that the law recently enacted by the British Columbia Legislature excluding aliens from the placer mines of that province, shall be disallowed. Of course, the Canadian commissioners, being virtually the Canadian Government, are quite competent to carry out such a pledge if the law is ultra vires.

But British Columbia is by no means likely to admit that it is ultra vires, or to bow to an injunction of the Dominion Government in restraining the operation of the law. The Alien Miners' Act was carried by all but the unanimous vote of the Legislature, was promptly signed by the Lieutenant-Governor, and would be defended, the Attorney-General declares, against attempts on the part of the Dominion Government to nullify it. The Premier would, therefore, be certain to meet with opposition in the implementing of his alleged promise to the American commissioners. Interference on the part of Ottawa was anticipated. By appending his signature to the measure as soon as it was clear of the Legislature, Lieutenant-Governor McInnes evidently aimed to forestall orders from the Federal capital instructing him to reserve his assent. The first point to be scored was the getting of the law safe and sure on the Provincial statute book. Now that it is secure, Attorney-General Joe Martin says he means to make such a popular fight for the law as was made in Manitoba on the question of disallowing the provincial legislation in favor of railway construction to the south. It is not improbable that the disallowance would be tested in the courts by the action of some party who felt aggrieved in consequence of it, and that the case would be carried to the Judicial Committee of the Privy Council, the main street to the city limits on the Anaconda side of the city as well as the grading of all streets in the centre and Government and Copper streets northward.

"I did not imagine," sighed the dejected suitor, "that a woman could possibly be as particular as her mother is. She is ultra, fanatically, absurdly proper." "What's the matter now?" "She took pains to inform me this evening that she didn't even allow the gas to go out without a chaperon."—Detroit Free Press.

NEWS OF THE FAR EAST

Tragic Ending of a Canadian Missionary's Life at Hinosaki, Japan.

Dr. Ingram and Rev. George Wilder Made Prisoners by the Chinese.

Mr. Rynhart, whose disappearance and supposed murder in Thibet has filled columns in the press of the Far East, is not unknown to Canadians. According to the Shanghai Press, "he came out originally in connection with the China inland mission, and went up to Thibet, where he remained till 1893, perfecting himself in the language and making many friends among the people. He then went on a tour through the United States and Canada. While in Canada he met his wife, a skilled lady physician, whom he persuaded to join in mission work in that interesting but little-known country. Mr. Rynhart, we believe, was a Belgian by nationality. Lately he has conducted the mission on his own resources, having given up his former connection with the Inland mission. His death will add one more bright star to the growing galaxy of Christian martyrs in China."

Word was received at Pekin on December 7 from Tung-cheo, 15 miles east, to the effect that Dr. Ingram and Rev. George Wilder, of the American board mission, while on their way to Ping Yuhsien, where they have a mission station, were seized by some Chinese soldiers. The gentlemen were on bicycles. Some Chinese residents of Tung-cheo reported that they were being taken away with bound hands under a guard of six mounted soldiers.

In a recent survey of the Upper Yangtsze, excellent steam coal was found in the gorges, and also iron and copper ore, containing 40 per cent. of metal

A Yokohama exchange says that the mission house of Rev. R. P. Alexander, a Canadian missionary at Hinosaki, has been destroyed by fire. Mrs. Alexander was fatally injured, while a second woman was badly burned, and Mr. Alexander and his son were severely scorched by the fire.

Over $15,000 has been sent from Canton towards the relief of the sufferers in the recent floods caused by the overflow of the Yellow river.

"ILLIBERAL LEGISLATION."

Leading Liberal Organ So Describes Mr. Martin's Masterpiece.

From the Montreal Herald.

The despatches from British Columbia indicate that Mr. Joseph Martin has once more donned his fighting armor. He has come out strongly in favor of excluding all "aliens" from British Columbia placer mines, and unless the reports of the applause that greeted his declarations are, like the reports of Mark Twain's death, "greatly exaggerated," it is plain that there is a considerable sentiment in the Province in favor of the step proposed.

The term "alien" used in this connection is of more or less limited application, as appears from the following comment by the New York Engineering and Mining Journal: "The immediate motive of the new law, it is understood, is the rush of prospectors to the new Atlin Lake District, and the desire to reserve the promising placers there for British Columbia miners. A number of men from Oregon and Washington were arranging to start for the new district, who will now be shut out."

The Journal continues: "This looks very much like illiberal legislation, especially in view of the fact that British Columbia mines have been so far developed chiefly by capital and men from the United States. At the same time we are hardly in a position to protest against such action by Canada, while our own mining laws limit the location of claims to citizens of the United States."

The fact that the American legislation is illiberal does not make that proposed in British Columbia any the less illiberal or unwise, and we may venture the hope that the Province will not allow itself to make any such mistake. American miners, by exploring the Kootenay country and working the Rossland mines, gave British Columbia the first start on the boom it is now enjoying. American prospectors found out the truth about the Klondike, and their discovery has been of no small benefit to British Columbia cities. We shall be surprised if it was not some adventurous American who first discovered the wealth of the Atlin Lake District, which Mr. Martin now wants to save for the citizens of British Columbia. It is an exceedingly short-sighted policy that would seek to shut these men out, for surely the resident of British Columbia wants more than anything else to see the vast resources of his Province developed, and surely, too, he is not afraid to take his chance against all comers in acquiring desirable locations. If he is, the rest of the world will be inclined to think he is too slow for the race.

No doubt there will be much support for the proposed measure. There always is plenty of support for legislation of a retrogressive character. It is disappointing, however, to see such a measure emanating from and supported by one who has borne the reputation of being a foremost champion of Liberal principles. Liberalism has in all ages stood for the freest competition, and has advocated the greatest possible liberty of action as making for the advancement of civilization. The obstacles in the way have at no time been few or inconsiderable, and for the least has been the natural disposition of men to check such movements, as though they might be for the general advantage, would interfere with their personal interests. This disposition has been the fruitful cause of wars. Nowadays it is the equally fruitful cause of tariff wars and of legislation restricting the movement of population and capital. It is always easier for legislative bodies to enter on such courses than to break away from them, just as it is easier to make tariffs than to get rid of them, and easier to make wars than to end them. But the part of the statesman, and especially the statesman who is guided by the principles which many centuries of Liberalism have developed, should be tolerably clear.

Mrs. Gruber—I called on Mrs. Doser to-"It's the little things in this earth that make all the trouble," remarked the idealist. "Yes," answered the realist. The continents get along smoothly and easily, but the islands are liable to raise the mischief."—Indianapolis Journal.

"Women love to get together and gossip quietly about one another," he remarked in an irritating way. "Yes," she remarked; "it is seldom that they take the trouble to call names in official documents and the newspapers."—Washington Star.

Willie is an observing little chap. He enjoyed looking at the pictures of Santa Claus in the newspapers, and when, a week later, he discovered a picture intended for Father Time in a paper, he shouted: "O, papa, look how thin Santa Claus has got in a week!"—Yonkers Statesman.

JURY COULDN'T

Work of Court and the Nichol Libel Ca for Naught.

Chief Justice McColl's the Jury Delivered day Morning

There was not much surpr yesterday when the jury in Regina vs. Nichol, in answ tion from Chief Justice swered that they had bee arrive at a verdict. They h out four hours and a half, man stating that there w pects of an early agreemen Justice discharged them.

was about to state how th was stopped by His Lordsh was learned that they stood quittal and three for con a long time they were ev but as the time continued out, three changed their p

There was quite a large the court when the case w chief interest centering in t tice's charge to the jury. accused, Walter C. Nichol, with publishing a defama and concerning Mr. J. H. Mr. C. E. Pooley. The h fairly stated by the cou sides, but it was necessary to have it fresh in their m was defined in section 285 inal code as follows: "A libel is matter published, justification or excuse, lik the reputation of any pers ing him to hatred, contem or designed to insult the pe it is published." Section ferred to it as follows: mits an offence by publis famatory matter which h able grounds believes to which is relevant to any s he interest, the public which the public section, however, said the had not much to do with case, as under a plea of ju question of reasonable be evidence, although at the s jury should not altogether Then there was section part of which follows: mits an offence by publish ment upon the public con son who takes part in p As Mr. Wilson had said, law defining what fair co was, because it was di must depend entirely upo stances. Judges had pressed opinions as to th which a writer could go, a Lord Esher in Merivale vs said: "But when you loo ming up as a whole, I thi substance to the final q was put by the judge and is no more than fair, hon cent, bold, even exaggerat then your verdict will be fendant.' He gives a ve and I think rightly."

The Chief Justice said stated the law to refresh of the jury, and he woul the "libel" the accused the Province, at the time a published in Victoria. Th occupied the high offices o president of the executive tain companies had bee England, and as most min were necessarily of a spec ter. The finances of the pr peared prominently on th of the companies, and the occupied prominent positio lished after their names. that the promoters of should direct attention to held by the directors to ment in the companies, peal to the company who habit of investing in suc He did not say there w wrong in this. The pros the right to the opinion right, and anybody else has the opinion that it was no were not to say whether right, but whether the co by the accused came within whether the accused held th he claims he did. The o dence there was was that ors had accepted fees directors of the companies, nothing to show that the cessive or larger than were other directors. He took did not pay for their shares, had the evidence before the could decide whether that w inference. Mr. Davis had the failure of the prosecutor stand and explain their con the companies, and the pres of the companies. There w rule as to that. Some judg they should take the stand ing of the case, and othe should wait until evidence in on the plea of justificatio if there were any explanati take the stand and make the for the prosecution had dec take either course, and ha their reasons. The jury w their own inference from the sued. The result of it wa court was left without evid that put in by the accused. important to bear in mind sues were, and not be led a general views or impulses ca appeals made by counsel.

Reading the indictment from the plea of justificatio Justice said the former meaning put on the article b centors, and the plea the upon it by the accused. It jury to consider the views c cutors and the accused, carefully read the article, t tween them. If they took the accused and found that of justification there was had not been proved, they s him; if otherwise, find Should it be found that placed on the article by was the correct one, there against the prosecutors. In His Lordship said that the in regard for the honor of must consider their own ho less of consequences.

The jury retired at 11:4 court was adjourned until 1

On the court re-assembling asked His Lordship to reser objecting to a trial by speci Mr. Cassidy asked that a by him, objecting to several His Lordship's charge, be a

The foreman of the jury asked whether there was a of a verdict being reached in hours, replied in the negativ Chief Justice said he would